

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Code Enforcement Lien Case # 06-89-CEB; Request for Reduction of Penalty; Phillip J. Brutus, owner, 117 Ford Avenue, Altamonte Springs

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Dori DeBord

CONTACT: Carolyn Jane Spences

EXT: 7403

MOTION/RECOMMENDATION:

(A) Approve a reduction to the Code Enforcement Board lien from \$6,675.00 to \$3,411.38 for Case # 06-89-CEB on the property located at 117 Ford Avenue, Altamonte Springs – Phillip J. Brutus, and require these costs to be paid within 60 days or the lien will revert to its original amount (\$6,675.00) and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien (Staff Recommendation); or

(B) Approve a reduction to the Code Enforcement Board lien which totals \$6,675.00 to an amount set by the Board of County Commissioners for Case # 06-89-CEB on the property located at 117 Ford Avenue, Altamonte Springs - Phillip J. Brutus, and require this reduced amount to be paid within 60 days or the lien will revert to its original amount (\$6,675.00) and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien; or

(C) Approve the request to waive the Code Enforcement Board lien which totals \$6,675.00 for Case # 06-89-CEB on the property located at 117 Ford Avenue, Altamonte Springs - Phillip J. Brutus, and authorize the Chairman to execute the Satisfaction of Lien; or

D) Deny a reduction to the Code Enforcement Board lien in the amount of \$6,675.00 for Case # 06-89-CEB on the property located at 117 Ford Avenue, Altamonte Springs - Phillip J. Brutus, and require this amount to be paid within 60 days and upon payment in full, authorize the Chairman to execute the Satisfaction of Lien.

District 4 Carlton D. Henley

Tina Williamson

BACKGROUND:

In accordance with Section 3.20 of the Seminole County Administrative Code, the Deputy County Manager requests that the following lien reduction request be processed.

In response to a complaint, on July 10, 2006, the Code Enforcement Officer observed the following violation located at 117 Ford Avenue, Altamonte Springs: Uncultivated vegetation in excess of 24" in height and within 75' of a structure in violation of Seminole County Code Section 95.4, as defined in Section 95.3 (h).

The timeline on this violation is below:

DATE	ACTION	RESULT
July 11, 2006; July 28, 2006; August 17, 2006; September 06, 2006	Notices of Violation issued to Respondent.	Violation remains.
October 25, 2006	Statement of Violation and Request for Hearing.	Filed by Code Enforcement Officer.
November 8, 2006	Notice of Hearing mailed to Respondent at 1125 N.E. 125th Street, Suite 103, North Miami.	Certified mail receipt returned to Clerk signed by Isabel Velez.
December 14, 2006	Code Board Hearing – Findings of Fact, Conclusions of Law and Order.	Order entered by Code Enforcement Board giving a compliance date of January 5, 2007 with a fine of \$75.00 per day if violations are not corrected by January 5, 2007.
December 20, 2006	Findings of Fact, Conclusions of Law and Order mailed to the Respondent at 1125 N.E. 125th Street, Suite 103, North Miami.	Certified mail receipt returned to Clerk signed by Isabel Velez.
January 8, 2007	Reinspection and Affidavit of Non-Compliance filed by the Code Enforcement Officer.	Violation remains.
January 16, 2007	Letter enclosing Affidavit of Non-Compliance and notifying Respondent of February 22, 2007 hearing date along with current lien amount mailed to Respondent at 1125 N.E. 125th Street, Suite 103, North Miami.	Certified mail receipt returned to Clerk signed by Isabel Velez.
February 22, 2007	Code Board Hearing – Order Finding Non-Compliance and Imposing Fine/Lien filed by Code Enforcement Board	Ordered entered by the Code Enforcement Board imposing a lien in the amount of \$3,600.00 against the property with the fine continuing to accrue at \$75.00 per day.
February 28, 2007	Order Finding Non-Compliance and Imposing Fine/Lien mailed to the Respondent at 1125 N.E. 125th Street, Suite 103, North Miami.	Certified mail receipt returned to Clerk signed by Isabel Velez.
April 5, 2007	Reinspection and Affidavit of Compliance filed by the Code Enforcement Officer.	Violation removed by the Respondent. Compliance was obtained on April 5, 2007. Total lien due of \$6,675 which represents 89 days of non-compliance (January 6, 2007 through and including April 4, 2007) at \$75.00 per day.
April 13, 2007	Request for Reduction of Penalty	Request for Reduction of Penalty received from Phillip J. Brutus ¹

¹The Respondent, Mr. Brutus, is requesting that the lien imposed on February 22, 2007 be reduced. He states that due to the fact that he does not live locally, he hired local help to clean up the lot and keep it within compliance. He further states that he did not realize that the lot had not been cleaned and, as soon as he was made aware of the violation, he called Code Enforcement Officer Dorothy Hird. He states that he feels that it would be unfair and prohibitively expensive to pay such a high penalty when he did not ignore the violation and did everything he could to timely comply.

The Board considers the individual facts of each case when determining whether to reduce a lien. In addition, the Board adopted the following guidelines on February 9, 1999 to use when considering lien reductions:

1. If an individual has acquired a property in which the lien was recorded and the individual bought the property with this knowledge, a waiver or reduction in lien should not be granted. In such cases, the lien should have been considered in reaching a purchase price.

2. If a lien is not considered when a title insurance policy is issued, a reduction of the lien to provide relief to a title insurer should not be granted. To do so would place the County in the position of indemnifying an insurance company against its losses, which are reflected in premium charges.

3. If a lien has previously been reduced, and another request is received for a lien reduction, whether from the original property owner or new owner, a reduction or waiver should not be granted. If the BCC grants relief to a violator, its action should be final and conclusive.

4. When considering a request and in developing a recommendation to the BCC, staff should evaluate the amount of the lien compared to the value of the property and the actions the violator did or did not take in attempting to resolve the code violation. Per the Property Appraiser information, the assessed value of the property is **\$18,000.00**. The lien totals **\$6,675.00**.

5. When liens are satisfied as a result of either full payment or reduced/eliminated payment as directed by the BCC, the lien satisfaction instrument will be provided to the property owner who shall be responsible for recording the instrument in the land records.

STAFF RECOMMENDATION:

Staff recommends that the Board reduce the amount of the lien in the amount of \$6,675.00 to \$2,670.00 plus the administrative costs of \$741.38 for a total of \$3,411.38 for the property located at 117 Ford Avenue, Altamonte Springs. A 60% reduction is the Planning Manager's recommendation based on time duration of non-compliance, the nature of one violation without repeat violations and the applicant's good-faith efforts to bring the property into compliance while living out of the area.

Staff further recommends that this amount, \$3,411.38, be paid within 60 days and upon payment in full authorize the Chairman to execute the Satisfaction of Lien.

ATTACHMENTS:

1. Statement of Violation/Request for Hearing
2. Notice of Hearing
3. Return Receipt w/ Affidavit of Mailing
4. Findings And Order
5. Return Receipt w/ Affidavit of Mailing

6. Affidavit Of Non Compliance
7. Lien Letter w/ Affidavit of Non-Comply & NOH for Feb
8. Return receipt w/ Affidavit of Mailing
9. Order Imposing Lien
10. Return receipt w/ Affidavit of Mailing
11. Affidavit Of Compliance
12. Request For Reduction Of Penalty
13. Property Appraiser Data
14. Estimated Cost Of Processing CEB SCSO
15. Estimated Cost Of Processing CEB SCSO

Additionally Reviewed By:

☒ County Attorney Review (Kathleen Furey-Tran)

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

CEB NO. 06-89-CEB

STATEMENT OF VIOLATION AND REQUEST FOR HEARING

Pursuant to Florida State Statute Chapter 162, and Chapter 53 Seminole County Code, the undersigned Code Enforcement Officer hereby gives notice of an uncorrected violation of the Codes or Ordinances of Seminole County, as more particularly described herein, and hereby requests a public hearing before the Board.

VIOLATION OF CODE OR ORDINANCE, SECTION OR NUMBER: **Seminole County Code: Chapter 95, Section 95.4 as defined in 95.3(h).**

LOCATION/ADDRESS WHERE VIOLATION EXISTS: **07-21-30-505-0D00-0080
117 Ford Avenue
Altamonte Springs, FL Seminole County**

Commissioner's District: **4**
Sheriff's District: **6**

NAME AND ADDRESS OF OWNER: **PHILLIP J BRUTUS
1125 NE 125th Street, Ste 103
North Miami, FL 33161**

DESCRIPTION OF VIOLATION: **1) Uncultivated vegetation in excess of 24" in height and within 75' of a structure.**

DATE VIOLATION FIRST OBSERVED: **07/10/06**
DATE 1st NOTICE OF VIOLATION MAILED: **07/11/06**
DATE VIOLATION TO BE CORRECTED: **07/27/06**
DATE OF REINSPECTION: **07/28/06**
DATE OF 2ND NOTICE OF VIOLATION: **07/28/06, 08/17/06 & 09/06/06**
DATE VIOLATION TO BE CORRECTED: **08/15/06, 09/01/06 & 09/22/06**
DATE OF REINSPECTION: **08/16/06, 09/06/06, 09/25/06 & 10/24/06**
INSPECTION RESULTS: **Uncultivated vegetation in excess of 24" inches and within 75' of a structure remains on the property.**

Based upon the foregoing, the undersigned Code Inspector hereby certifies that the above described violation continues to exist, that attempts to secure compliance with the Code(s) or Ordinance(s) of Seminole County have failed as aforesaid, and that the violation should be referred to the Board for a public hearing.

DATED THIS 25th DAY OF OCTOBER 2006.



Dorothy Hird, Code Enforcement Officer

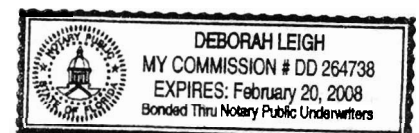
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 25th day of October 2006, by Dorothy Hird, who is personally known to me.



Notary Public in and for the
County and State Aforementioned
My commission expires:

COMPLAINT NO. 06-CE002541



**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

SEMINOLE COUNTY, a political subdivision
of the State of Florida,

CASE NO. 06-89-CEB

Petitioner,

vs.

**PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080**

Respondent

COPY

NOTICE OF HEARING

To: **PHILLIP J. BRUTUS
1125 NE 125th ST., SUITE 103
NORTH MIAMI, FLORIDA 33161**

NOTICE is hereby given that the Code Enforcement Board of Seminole County, Florida, intends to hold a public hearing at 1:30 PM, or as soon thereafter as possible, at its regular meeting on **THURSDAY, the 14th day of DECEMBER 2006**, at the Seminole County Services Building, BCC Chambers, 1101 East First Street, Sanford, Florida, to consider whether a violation of the Codes or Ordinances of Seminole County exists on the above-named party's property. Specifically:

- 1) UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND
LOCATED WITHIN 75' OF A STRUCTURE.**

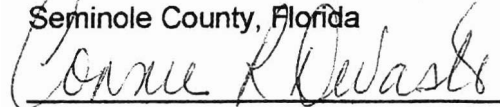
FOR ADDITIONAL INFORMATION REGARDING THIS NOTICE, PLEASE CONTACT THE PLANNING/CODE ENFORCEMENT BOARD OFFICE AT (407) 665-7403.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE EMPLOYEE RELATIONS DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 665-7941.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THESE MEETINGS/HEARINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, THEY MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED, PER SECTION 285.0105.

DATED this 8th day of November 2006.

Connie R. DeVasto
Clerk to the Code Enforcement Board
Seminole County, Florida



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO. 06-89-CEB

Petitioner,
vs.

PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080

Respondent

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Connie R. DeVasto, for **Planning Division/Code Enforcement**, who, after being duly sworn, deposes and says:

I certify that on the 8th day of November 2006, I mailed a true and correct copy of the Statement of Violation, Board Letter and Notice of Hearing to: Phillip J. Brutus, 1125 NE 125th Street, Suite 103, North Miami, Florida, 33161.


Connie R. DeVasto

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument
2006, by Connie R. DeVasto

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

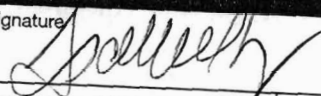
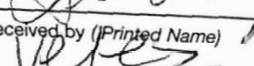
1. Article Addressed to:

06-89-CEB NOH BRD LTR
PHILLIP J BRUTUS
1125 NE 125th ST SUITE 103
NORTH MIAMI FL 33161

2. Article Number
(Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

A. Signature  ☐ Agent
☒ Address
B. Received by (Printed Name)  C. Date of Delivery 11/13/06
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

1-17-06A08:59 RCVD

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7004 1350 0003 4857 0344

Domestic Return Receipt

102595-02-M-1540

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Petitioner,
vs.

PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080

Respondent.

CASE NO. 06-89-CEB

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL
BY: Connie R. DeVasto
DATE: 12-20-06

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 06-89-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 07-21-30-505-0D00-0080) located at 117 Ford Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 8 BLK D HARMONY HOMES
PB 13 PG 35

- (b) in possession or control of the property, and
(c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).

It is hereby ordered that the Respondent shall correct the violation on or before January 5, 2007. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF
24" IN HEIGHT AND LOCATED WITHIN 75' OF A STRUCTURE.

If the Respondent does not comply with the Order, a fine of \$ 75.00⁰⁰ per day will be imposed for each day the violation continues or is repeated after compliance past JANUARY 5, 2007.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 06540 Pgs 0684 - 685; (2pgs)
FILE NUM 2007001033
RECORDED 01/02/2007 04:19:30 PM
RECORDING FEES 18.50
RECORDED BY G Harford

RETURN TO SANDY MCCANN

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.


DONE AND ORDERED this 14th day of December 2006, in Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

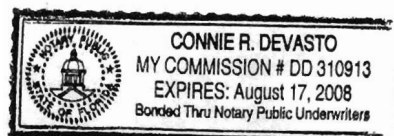

TOM HAGOOD, CHAIR

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 14th day of December 2006, by Tom Hagood, who is personally known to me.



Connie R. DeVasto
Notary Public to and for the
County and State aforementioned.
My Commission Expires



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO. 06-89-CEB

Petitioner,
vs.

PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080

Respondent

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Connie R. DeVasto, for **Planning Division/Code Enforcement**, who, after being duly sworn, deposes and says:

I certify that on the 20th day of December 2006, I mailed a true and correct copy of the Courtesy letter enclosing the FOF to: Phillip J. Brutus, 1125 NE 125th Street, Suite 103, North Miami, Florida, 33161.


Connie R. DeVasto

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing inst
December 2006, by Connie

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
 - Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

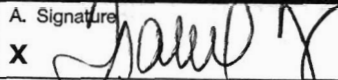
06-89-CEB FOF
PHILLIP J BRUTUS
1125 NE 125th ST SUITE 103
NORTH MIAMI FL 33161

2. Article Number
(Transfer from service label)

7004 1350 0003 4856 4121

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  ☐ Agent
X ☐ Addressee
- B. Received by (Printed Name) C. Date of Delivery
Isabel Velez 12/26/06
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

01-04-07A11:33 RCVD

3. Service Type
- ☒ Certified Mail ☐ Express Mail
 - ☐ Registered ☐ Return Receipt for Merchandise
 - ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Domestic Return Receipt

102595-02-M-1540

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO: 06-89-CEB

CERTIFIED COPY

CLERK OF THE

CODE ENFORCEMENT BOARD

SEMINOLE COUNTY, FL

BY: *Connie R. Devasto*

DATE: *1-16-07*

Petitioner,

vs.

PHILLIP J BRUTUS

Respondent.

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared **Dorothy Hird**,
Code Enforcement Officer, for Seminole County Sheriff's Office, who after being duly
sworn, deposes and says:

1. That on **December 17, 2006**, the Board held a public hearing and issued its
Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain
corrective action by or before **January 5, 2007**.
3. That a re-inspection was performed on **January 8, 2007**.
4. That the re-inspection revealed that the corrective action ordered by the
Board has not been taken in that **the uncultivated vegetation in excess of 24"**
height and within 75' of a structure remains on the property.

FURTHER AFFIANT SAYETH NOT.

DATED this 8th day of **JANUARY 2007**.

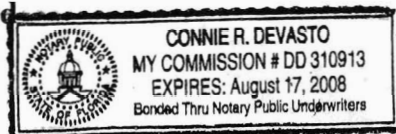
Dorothy Hird
Dorothy Hird, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 8th day of **January**
2007, by **Dorothy Hird**, who is personally known to me and who did take an oath.

Connie R. Devasto
Notary Public in and for the County
and State Aforementioned
My commission expires:

AFFNON.COM



MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06580 Pg 1259; (1pg)
CLERK'S # 2007018805
RECORDED 02/06/2007 02:22:29 PM
RECORDING FEES 10.00
RECORDED BY G Harford

PLANNING AND DEVELOPMENT DEPARTMENT



CODE ENFORCEMENT

January 16, 2007



PHILLIP J. BRUTUS
1125 NE 125th ST., SUITE 103
NORTH MIAMI, FLORIDA 33161

CASE NO – 06-89-CEB
PARCEL I.D. NO – 07-21-30-505-0D00-0080

Dear Mr. Brutus:

Please be advised that on December 14, 2006, the Code Enforcement Board of Seminole County issued its Findings of Fact, Conclusions of Law and Order in the above-referenced case. The Order specifically found this property in violation of having uncultivated vegetation in excess of 24" in height and located within 75' of a structure at 117 Ford Avenue, Altamonte Springs. The Board required compliance with its Order by January 5, 2007. I am enclosing a certified copy of the Affidavit of Non-Compliance, which has been filed by the Code Enforcement Officer.

At the time of the upcoming hearing, your fine will have run for **48 days**, from January 6, 2007, through and including February 22, 2007, at **\$75.00** per day, which totals **\$3,600.00**, and will continue to accrue at **\$75.00 per day** until compliance is obtained.

This item will be heard by the Code Enforcement Board at its regularly scheduled meeting on **THURSDAY, FEBRUARY 22, 2007, AT 1:30 PM**, at the County Services Building, Room 1028, located at 1101 E First Street, Sanford, Florida.

Seminole County will be requesting the Board issue an order imposing a **lien** against this property in the amount of **\$3,600.00**, to be recorded in the Public Records of Seminole County, with the fine continuing to accrue at **\$75.00 per day** until compliance has been met.

ANY PERSONS WISHING TO ADDRESS THE BOARD IN THIS MATTER
MUST CHECK IN WITH THE CLERK BY 1:25 PM.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Connie R. DeVasto
Clerk to the Code Enforcement Board

Enclosure

Cc: CEO Dorothy Hird

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO. 06-89-CEB

Petitioner,
vs.

PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080

Respondent
_____ /

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Connie R. DeVasto, for **Planning Division/Code Enforcement**, who, after being duly sworn, deposes and says:

I certify that on the 16th day of January 2007, I mailed a true and correct copy of the Lien letter with NOH for February 22, 2007 and enclosing the Affidavit of Non-Compliance to: Phillip J. Brutus, 1125 NE 125th Street, Suite 103, North Miami, Florida, 33161.


Connie R. DeVasto

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instru
2007, by Connie R. DeVasto

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.


1. Article Addressed to:

06-89-CEB LIEN NOH
PHILLIP J BRUTUS
1125 NE 125th ST SUITE 103
NORTH MIAMI FL 33161

2. Article Number
(Transfer from service is

7006 2760 0002 2424 7399

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  ☐ Agent
☒ Addressee
- B. Received by (Printed Name) Sabir Aziz C. Date of Delivery 1/19/07
- D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

01-31-07P12:47 RCVD

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Petitioner,
vs.

PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080

Respondent.

CASE NO. 06-89-CEB
CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL
BY: *[Signature]*
DATE: 2/28/07

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 07-21-30-505-0D00-0080) located at 117 Ford Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 8 BLK D HARMONY HOMES
PB 13 PG 35

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in 95.3 (h).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondent did not take certain corrective action by January 5, 2007.

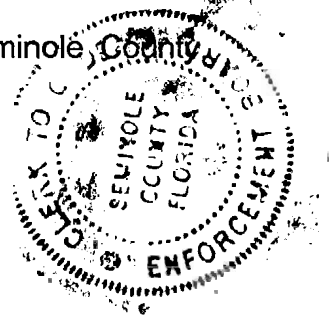
An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on January 8, 2007.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated December 14, 2006, the Board orders that a **lien** in the amount of **\$3,600.00**, for 48 days of non-compliance at \$75.00 per day, from January 6, 2007, through and including February 22, 2007, be imposed, and the fine shall continue to accrue at **\$75.00** per day for each day the violation continues or is repeated past February 22, 2007.

MARYANNE MORSE, CLERK OF CIRCUIT COURT SEMINOLE COUNTY, CFN 200706228 BK 08615 Pgs 1405 - 1406 (2 pgs) REC'D 03/07/2007 03:12:31 PM

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 22nd day of February 2007, in Seminole County, Florida.



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA



TOM HAGOOD, CHAIR

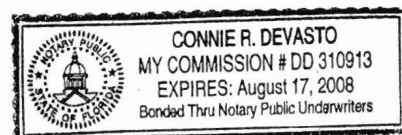
STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 22nd day of February 2007, by Tom Hagood, who is personally known to me.



Connie R. DeVasto

Notary Public to and for the
County and State aforementioned.
My Commission Expires



**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

CASE NO. 06-89-CEB

Petitioner,
vs.

PHILLIP J. BRUTUS
PARCEL I.D. # 07-21-30-505-0D00-0080

Respondent
_____ /

AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Jane Spencer, for **Planning Division/Code Enforcement**, who, after being duly sworn, deposes and says:

I certify that on the 28th day of February 2007, I mailed a true and correct copy of the Courtesy letter with Order imposing lien to: Phillip J. Brutus, 1125 NE 125th Street, Suite 103, North Miami, Florida, 33161.


Jane Spencer

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

The foregoing instrui
2007, by Jane Spencer, wh

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
■ Print your name and address on the reverse so that we can return the card to you.
■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**06-89-CEB ORDER LIEN
PHILLIP J BRUTUS
1125 NE 125th ST SUITE 103
NORTH MIAMI FL 33161**

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature  ☐ Agent
☒ Addressee

B. Received by (Printed Name) Sahelvel 2 C. Date of Delivery 3/7/07

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

03-12-07A11:27 RCVD

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

7006 2760 0001 5021 8463

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of Florida

Case No. 06-89-CEB

Petitioner,
vs.

PHILLIP J BRUTUS

Respondent.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FL

BY: *[Signature]*

DATE: 4-10-07

AFFIDAVIT OF COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared **Dorothy Hird, Code Enforcement Officer, Seminole County Sheriff's Office**, who, after being duly sworn, deposes and says:

1. That on **December 14, 2006**, the Board held a public hearing and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have taken certain corrective action by or before **January 5, 2007**.
3. That a re-inspection was performed and the Respondent was in compliance on **April 5, 2007**.
4. That the re-inspection revealed that the corrective action ordered by the Board has been taken in that **the uncultivated vegetation in excess of 24" in height and within 75' of a structure has been removed from the property**.

FURTHER AFFIANT SAYETH NOT.

DATED this 5th day of APRIL 2007.

[Signature]

Dorothy Hird, Code Enforcement Officer

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 5th day of April 2007, by **Dorothy Hird**, who is personally known to me and who did take an oath.

[Signature]
Notary Public in and for the County
and State Aforementioned
My commission expires:

CMPLAFF.CEB

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 06663 Pg 0691; (1pg)
FILE NUM 2007057028
RECORDED 04/17/2007 02:59:30 PM
RECORDING FEES 10.00
RECORDED BY G Harford



Jane Spencer
Commission #DD299304
Expires: March 19, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

SEMINOLE COUNTY
CODE ENFORCEMENT BOARD
CASE NO. 06-89-CEB

REQUEST FOR REDUCTION OF PENALTY

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH

INSTRUCTIONS: Please fill in both sides of this form completely. Be specific when writing your statement. Please return this form to the Clerk to the Code Enforcement Board. The REQUEST FOR REDUCTION OF PENALTY will then be presented to the Board of County Commissioners at their next regularly-scheduled hearing, or as soon thereafter as possible, and you will be notified in writing of the Board's decision within 10 days after the hearing. If you are claiming medical or financial hardship, attach supporting documentation (i.e., a doctor's statement or proof of income). If you have any questions, please call the Clerk at (407) 665-7403.

Property Owner's Name: Phillip J. Brutus

Property Address: 117 FORD AVENUE
SANFORD, Florida

Phone number(s) where you can be reached during the day: (305) 790-1038

Is the property now in compliance? YES X NO
(If No, explain in detail)

Are you claiming a financial hardship? YES ✓ NO

Are you claiming a medical hardship? YES NO ✓

If the property owner is unable to complete this form, list the name of the person who is legally authorized to act for the property owner and his/her relationship to the property owner:

Name:

Relationship:

RETURN COMPLETED, SIGNED AND NOTARIZED FORM TO:
CLERK, SEMINOLE COUNTY CODE ENFORCEMENT
1101 EAST FIRST STREET, SANFORD, FLORIDA 32771-1468

I, Phillip J. Brutus, do hereby submit this
REQUEST FOR REDUCTION OF PENALTY to request a reduction in the total amount of
 penalty imposed and in support offer the following statement:

I Reside in MIAMI-DADE County. As a result
 I hired local help to clean the
 lot & keep it within compliance.
 Unbeknownst to me, the People
 have not cleaned the lot as
 frequently as they led me to believe.
 However, as can be confirmed by
 officer Dorothy Hird, everytime I
 came to learn of non-compliance
 I call her back to discuss the
 type & time of compliance
 required. I feel it would be unfair
 & prohibitively expensive to pay
 such a high penalty when I
 did not ignore the violations. I did
 everything I could to timely comply

Date: 04/10/07

Signed: [Signature]

Print Name: Phillip J. Brutus

STATE OF FLORIDA
 COUNTY OF SEMINOLE MIAMI-DADE

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and
 take acknowledgments, Phillip J. Brutus, who after first being duly sworn,
 acknowledged before me that the information contained herein is true and correct. He/she is not
 personally known to me and has produced PA-Services License as identification
 and did take an oath.

Date: 04/10/07

Notary Public

My commission expires:



Isabel Velez

Commission # DD559516

Expires June 7, 2010

Bonded Troy Fain - Insurance, Inc. 800-385-7019

RETURN COMPLETED, SIGNED AND NOTARIZED FORM TO:

CLERK, SEMINOLE COUNTY CODE ENFORCEMENT

1101 EAST FIRST STREET, SANFORD, FLORIDA 32771-1468



Isabel Velez

Commission # DD559516

Expires June 7, 2010

Bonded Troy Fain - Insurance, Inc. 800-385-7019

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508															
GENERAL Parcel Id: 07-21-30-505-0D00-0080 Owner: BRUTUS PHILLIP J Mailing Address: 1125 NE 125TH ST STE 103 City,State,ZipCode: NORTH MIAMI FL 33161 Property Address: 117 FORD AVE Subdivision Name: HARMONY HOMES Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 00-VACANT RESIDENTIAL	2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$18,000 Land Value Ag: \$0 Just/Market Value: \$18,000 Assessed Value (SOH): \$18,000 Exempt Value: \$0 Taxable Value: \$18,000 Tax Estimator														
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>TAX DEED</td> <td>08/2005</td> <td>05862</td> <td>1402</td> <td>\$3,300</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	TAX DEED	08/2005	05862	1402	\$3,300	Vacant	No	2006 VALUE SUMMARY 2006 Tax Bill Amount: \$290 2006 Taxable Value: \$18,000 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified									
TAX DEED	08/2005	05862	1402	\$3,300	Vacant	No									
LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>18,000.00</td> <td>\$18,000</td> </tr> </tbody> </table> Permits	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	18,000.00	\$18,000	LEGAL DESCRIPTION LEG LOT 8 BLK D HARMONY HOMES PB 13 PG 35		
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value										
LOT	0	0	1.000	18,000.00	\$18,000										
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.															

Estimate of Costs
CEB Case # 06-89-CEB
PHILLIP J. BRUTUS

<u>Postage</u>				
Regular	5	\$.39	\$ 1.96	
Certified	5	\$ 4.64	\$23.20	
				\$25.16
<u>Processing Time for</u>				
<u>Code Enforcement and BCC Action</u>				
Code Board Secretary	2 hours	\$ 13.13	\$26.26	
Code Board Attorney	1 hour	\$100.00		
Planning Manager's Review	1 hour	\$ 40.00		
Planning and Development Director's Review	1 hour	\$ 50.00		
Deputy County Manager's Review	1 hour	\$ 60.00		
County Attorney's Review	1 hour	\$100.00		
				\$376.26
Other associated costs not captured:				
Fleet expense, Phone expense, Utilities, Computer Support				
Costs for Recording Documents -				
# of first page docs - 4 # of additional page docs - 2				\$57.00
(\$10.00 first page, \$8.50 each additional page)				
<u>ESTIMATED COST FOR PROCESSING CASE # 06-89-CEB</u>				
<u>By the Planning Division</u>				\$458.42
<u>ESTIMATED COST FOR PROCESSING CASE # 06-89 -CEB</u>				
<u>By the Seminole County Sheriff's Office</u>				\$282.96
<u>TOTAL COST FOR PROCESSING CASE # 06-89- CEB</u>				\$741.38

SEMINOLE COUNTY SHERIFF'S OFFICE
Affidavit For Reimbursement of Code Enforcement Officers Administrative Costs
Case#06-89-CEB/PHILLIP J BRUTUS

The Seminole County Sheriff's Office requests that the Department of Planning and Development petition the Board of County Commission to enter an order requiring the Respondent in the above-styled case to pay the costs of investigation incurred by this office during the investigation and presentation of said case. The below items detail the activities and associated costs for investigating this case.

Code Enforcement Officer:

DATE	PERSONNEL ACTIVITY	HOURS
07/10/06 – 04/05/07	10 Inspections and took 24 photos	2
07/11/06 – 09/06/06	4 Notices mailed	.50
09/25/06 – 0/02/06	9 phone calls	1
10/25/06	Prepared case for CEB	.50
12/14/06	CEB hearing, comply by 01/05/07 or a fine of \$75.00 per day	2
01/08/07	Filed Affidavit of Non-Compliance	.25
02/22/07	CEB hearing. Order imposing Fine/Lien	2
04/05/07	Filed Affidavit of Compliance	.25
TOTAL HOURS		8.5
		x \$33.29
TOTAL PERSONNEL COSTS		\$ 282.96

DATE	TANGIBLE GOODS OR SERVICES	COST
1.		
2.		
3.		
4.		
TOTAL TANGIBLE AND/OR SERVICE COSTS		\$ 00

The Seminole County Sheriff's Office has incurred actual costs in the amount of **\$282.96** during the investigation and prosecution of the defendant in this case. Said costs are supported and documented as listed above. Personnel costs are calculated at a rate of \$33.29 per hour, as determined by the Financial Services Section of the Seminole County Sheriff's Office. Tangible goods and contractual services are indicated as required and at a direct cost to the Office.

Signature of Deputy / Investigator:  **04/26/07**
Date

Attested to this 26th day of April, 2007, by Dorothy Hird
A Code Enforcement Officer